

REMARKS

Claims 1-23 are in this application.

Claims 1-23 have been rejected.

Reconsideration and allowance of claim 1-23 is respectfully requested for the reasons explained below.

Claims 1-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Knappe (US 6,603,774) in view of Ben Nun (US 6,928,482).

Claim 1 will be discussed first and following the discussion of claim 1, the other claims will be addressed.

Applicant's claim 1 is directed to a method of assigning DSPs in a voice gateway. Voice gateways generally include a plurality of DSPs. As calls arrive at the voice gateway, a particular DSP is assigned to handle each call. The method recited in claim 1 includes two steps. First, a determination is made as to whether or not a call can be assigned to a particular DSP on a "best fit basis". Second, if a call can not be assigned on a best fit basis, the call is assigned on a load balancing basis.

Specifically claim 1 recites (in part):

"first determining if a particular call can be assigned to a DSP on a best fit basis,
and if a call can not be assigned on a best fit basis,

assigning said particular call on a load balancing basis so as to balance the load
on the plurality of DSPs".

The Knappe reference describes a system that attempts to determine if there is a common codec between the sending and receiving ends of a call (see Knappe column 3 lines 6 et seq.). As described in the Knappe reference, in some situations no codec at

the receiving end matches the codecs available at the sending end. To handle such a situation the system described in the Knappe reference provides a “codec proxy system 24” that transcodes packets from one coding technique to a different coding techniques (see Knappe column 3 lines 62 et seq.).

In the system shown in the Knappe reference, if no common codec exist between the sending and receiving ends, the a codec is assigned on a best fit basis or on the basis of “best known quality pairing” (see Knappe column 3 lines 50 et seq.). In such a situation, the codec proxy system handles the transcoding of packets between the sending and receiving ends of the call.

Thus, at best, the Knappe reference teaches the first step in the applicant’s two step method. There is absolutely no suggestion in the Knappe reference of the second step in the applicant’s method. That is, there is no suggestion in the Knappe reference of assigning codecs on a load balancing basis if the codec can not be assigned on a best fit basis.

The Ben Nun reference describes a system that assigns packets to particular processors. As shown in Figure 8 of the Ben Nun reference (which the examiner references), first a determination is made concerning whether or not a packet belongs to a data flow that has been previously assigned to a processor. If a packet belongs to a data flow that has been previously assigned to a processor, the packet is assigned to the same processor as that assigned to other packets in the data flow (see Ben Nun column 11 lines et seq.). If a packet does not belong to a data flow that has been previously assigned to a processor, the packet is assigned on a load balancing basis.

There is no suggestion in the Ben Nun reference of assigning packets on a best fit basis. The assignment of packets to a processor that was previously assigned to handle packets in a data flow is not an assignment packets on a on a best fit basis.

In summary, the Knappe reference teaches the selection of codecs on a best fit basis. The Ben Nun reference teaches assigning packets to processors on a load balancing basis (if the packet does not belong to a data flow that has been previously assigned to a processor). Thus, at best these two references each teach one of the individual steps recited in the applicant's claim. There is no teaching or suggestion of combining the two steps recited in applicant's claims.

The above discussion relates specifically to applicant's claim 1; however, the issues are in general the same relative to each of the other claims in the application.

Claim 2 is a means plus function claim that has language similar to that quoted above from claim 1 and the arguments give above relative to claim 1 apply equally to claim 2.

Claim 3 contains additional limitations in addition to those in claim 1. Claim 3 calls for:
"first determining if the call can be assigned to a DSP on a best fit basis utilizing a best fit pool which indicates the DSPs that would be fully loaded by a call using a codec in the associated resource group, and if the call can not be assigned on a best fit basis"

The discussion given above relative to claim 1 applies to claim 3 and in addition the references do not teach a "best fit pool".

Claim 4 is an apparatus claim that has limitations similar to those discussed above relative to claim 3. Thus the above discussion relative to claim 1 and claim 3 apply to this claim.

Claims 5, 7, 8, 9 and 21 relate to allocating tasks to resources. Each of these claims has two steps similar to claim 1 discussed above. Furthermore these claims contain limitations relative to grouping tasks that require similar amounts of resources. Thus the argument give above relative to claim 1 apply to these claims and in addition the references do teach grouping of resources as required by these claims.


Claims 6, 10-20, 22 and 23 are dependent claims and these claims are patentable for the same reasons as discussed above relative to the parent claims of these dependent claims.

In summary, the cited references do not teach the combination of the two steps (or two apparatus) recited in applicant's claims. For the reasons explained above reconsideration and allowance of claims 1-23 is respectfully requested.

The Examiner is encouraged to call the undersigned if any questions arise concerning the above-mentioned application which can be resolved by a telephone interview.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Elmer W. Galbi", is written over a horizontal line.

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